

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Brian D. Cunningham Confirmation No.: 5291  
Serial No.: 10/803,120 Group Art Unit: 2145  
Filed: March 17, 2004 Examiner: Matthew E. Kessler  
FOR: **SYSTEM AND METHOD FOR DETECTING AND FILTERING UNSOLICITED  
AND UNDESIRED ELECTRONIC MESSAGES**

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**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(e)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) wish to make of record the following list of pending applications which are  
related to the present application:

<u>Publication No</u>	<u>Publication Date</u>	<u>Name of Inventor</u>
2005/0251861 A1	November 10, 2005	Brian Cunningham
2008/0086532	April 10, 2008	Brian Cunningham
WO2007/095159 (based on U.S. Serial No. 60/773,104, filed February 14, 2006)	August 23, 2007	Brian Cunningham

and hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each non-US patent document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08 are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.

- ☒ [X] No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08 are being provided pursuant to 37 C.F.R. §1.98.
- ☐ [ ] Publications listed on the attached Form PTO/SB/08 were cited in a foreign search or examination report corresponding to \_\_\_\_\_ application serial no. \_\_\_\_\_ and mailed on \_\_\_\_\_
- ☐ [ ] Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ [ ] Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ [ ] Enclosed is an explanation of non-English publication(s) \_\_\_\_\_ for which an English translation is not available.
- ☐ [ ] Enclosed is an English translation of non-English publication(s) \_\_\_\_\_ cited in the attached Form PTO/SB/08.
- ☐ [ ] Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☒ [X] a final action under 37 C.F.R. §1.113;
- ☐ [ ] a notice of allowance under 37 C.F.R. §1.311; or
- ☐ [ ] an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. §1.97(c) also enclosed is:

- ☒ [X] Fee under 37 C.F.R. §1.17(p) in the amount of \$180.00; or
- ☐ [ ] Statement as specified in 37 C.F.R. §1.97(e):
  - ☐ [ ] Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
  - ☐ [ ] No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item

of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08 to the undersigned.

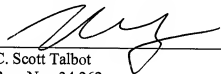
Dated: June 23, 2008

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Respectfully submitted,  
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